

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

249

Application Number 10/825,757

Filing Date April 16, 2004

First Named Inventor Jeffrey M. Linnen

Art Unit 1645

Examiner Name To be assigned

Attorney Docket Number GP146-04.UT

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board .. of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Forms SB/08 in duplicate (4 pgs)
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	Copy of Intl Search Report (6 pgs)
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	Copies of 9 references (236 pgs)
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application		Return Receipt Postcard
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Gen-Probe Incorporated		
Signature			
Printed name	Charles B. Cappellari		
Date	December 15, 2004	Reg. No.	40,937

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Charles B. Cappellari	Date	December 15, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:) Group Art Unit: 1645
)
LINNEN *et al.*) Examiner: To Be Assigned
)
Serial No. 10/825,757) Confirmation No. 8545
)
Filed: April 16, 2004) Atty. Docket No. GP146-04.UT
)
For: COMPOSITIONS AND METHODS)
FOR DETERMINING THE PRESENCE)
OF SARS CORONAVIRUS IN A)
SAMPLE)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants bring to the Examiner's attention the references listed on the enclosed Form PTO/SB/08 (two copies) for consideration in connection with the examination of the above-identified application. A copy of each cited reference is enclosed herewith.

This information Disclosure Statement is being submitted under 37 C.F.R. § 1.97(b) before the mailing date of a first Office action on the merits. If Applicants are mistaken, and a first Office action on the merits was mailed on or before the certified mailing date indicated below, then the undersigned certifies under 37 C.F.R. § 1.97(e)(1) that each reference identified in the Form PTO/SB/08 was cited in the enclosed PCT International Search Report, which was mailed on November 26, 2004, in a counterpart international application. And if such action is a final Office action or notice of allowance, then petition is hereby made under 37 C.F.R. § 1.97(d) for consideration of this Information Disclosure Statement. In this circumstance, the petition fee due under 37 C.F.R. § 17(p) should be charged to Deposit Account No. 07-0835 in the name of Gen-Probe Incorporated.

12/21/2004 ZJU HAR1 00000027 070835 10825757

01 FC:1806 180.00 DA

IDS

Serial No. 10/825,757
Atty. Docket No. GP146-04.UT

Applicants respectfully request that the Examiner indicate consideration of the cited references by returning a copy of the attached Form PTO/SB/08 with the Examiner's initials or other appropriate marks.

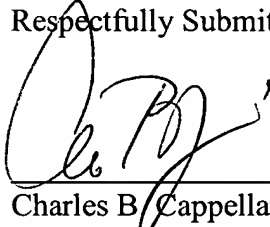
Certification

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is being deposited on the date indicated below with the U.S. Postal Service as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Respectfully Submitted,

Date: December 15, 2004

By:



Charles B. Cappellari
Registration No. 40,937
Attorney for Applicants

GEN-PROBE INCORPORATED
Patent Department
10210 Genetic Center Drive
San Diego, California 92121
PH: (858) 410-8927
FAX: (858) 410-8928

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	2
-------	---	----	---

Complete if Known

Application Number	10/825,757
Filing Date	April 16, 2004
First Named Inventor	Jeffrey M. Linnen
Art Unit	1645
Examiner Name	To be assigned
Attorney Docket Number	GP146-04.UT

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	1 ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)	MM-DD-YYYY			
		WO 2004/057021 A2	07-08-2004	Universite Laval		
		CN 1450172 A	10-22-2003	Hangzhou Huada Jene Res Ct		
		DE 203 15 159 U1	01-22-2004	Artus Ges Fuer Molekularbiolog		

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known	
		Application Number	10/825,757
		Filing Date	April 16, 2004
		First Named Inventor	Jeffrey M. Linnen
		Art Unit	1645
		Examiner Name	To be assigned
Sheet 2	of 2	Attorney Docket Number	GP146-04.UT

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Drosten et al., "Identification of a Novel Coronavirus in Patients with Severe Acute Respiratory Syndrome," N. Engl. J. Med., May 15, 2003, 348(20):1967-1976, Mass. Med. Society, Boston, MA, USA.	
		Grondahl et al., "Rapid Identification of Nine Microorganisms Causing Acute Respiratory Tract Infections by Single-Tube Multiplex Reverse Transcription-PCR: Feasibility Study," J. Clin. Microbiol., Jan. 1999, 37(1):1-7, ASM, Washington, D.C., USA.	
		Kehl et al., "Evaluation of the Hexaplex Assay for Detection of Respiratory Viruses in Children," J. Clin. Microbiol., May 2001, 39(5):1696-1701, ASM, Washington, D.C., USA.	
		Lau et al., "A real-time PCR for SARS-coronavirus incorporating target gene pre-amplification," Biochem. & Biophys. Research Comm. Dec. 26, 2003, 312(4):1290-1296, Academic Press Inc., Orlando, FL, USA.	
		Vabret et al., "Direct diagnosis of human respiratory coronaviruses 229E and OC43 by the polymerase chain reaction," J. Virol. Methods, 2001, 97(1-2):59-66, Elsevier Science B.V., Amsterdam, Netherlands.	
		Zhou et al., "One-step Duplex RT-PCT Assay for Detection SARS Associated Coronavirus," Virologica Sinica, June 2003, 18(3):232-236, Kexue Chubanshe, Beijing, China.	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.